



Winston H. Hickox
*Secretary for
Environmental
Protection*

State Water Resources Control Board

Division of Clean Water Programs

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Gray Davis
Governor

May 16, 2000

To: Local Agency Underground Storage Tank Program Managers and CUPAs

ENFORCEMENT ALERT #3: ARCO

On April 4, 2000, the State Water Resources Control Board and the California Environmental Protection Agency jointly referred to the State Attorney General possible violations of underground storage tank upgrade requirements by Atlantic Richfield Company (ARCO). The nature of the violations was identified in our April 24, 2000 Enforcement Alert.

To ensure statewide consistency in identifying Arco's violations, obtaining compliance and remediation, and pursuing any ensuing enforcement action against Arco, we request that you take the following measures:

- Ascertain and immediately inform the contacts below whether Arco has any pending applications for permitted work at any of its facilities within your jurisdiction.
- Request that Arco schedule an appointment with your inspector, 72 hours in advance, to be present prior to and during the exposure of any underground piping.
- Notify the contacts below as soon as you receive any such schedule notification to allow a representative of the State to be present when the work is being conducted. We will coordinate with your inspector.
- Follow the investigation guidance outlined in our May 12, 2000 Enforcement Alert #2.
- Notify this office before attempting to negotiate remedies to any observed violation.
- Keep track of your time, as the cost of your time may be recovered as part of an enforcement action.

California Environmental Protection Agency



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Notification should be given to Barbara Wightman at (916) 227-4318 or by E-mail at wightmab@cwpswrcb.ca.gov (on vacation until June 7) or Mary Drewry at (916) 227-4483 or by E-mail at drewrym@cwpswrcb.ca.gov. If you have any questions concerning this request please contact Ms. Wightman or Ms. Drewry. If you have questions concerning the collection of evidence, please contact David Boyers, Staff Counsel, SWRCB, at (916) 227-4420.

Sincerely,

Elizabeth L. Haven, Manager
Underground Storage Tank Program

cc: Ms. Niloufar Glosson, California Project Officer
U.S. Environmental Protection Agency
75 Hawthorne Street, WST 8
San Francisco, CA 94105

Ms. Lisa Brown, Cal/EPA
555 Capitol Mall, Suite 525
Sacramento, CA 95814